

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**FIFTH SUPPLEMENTAL DECLARATION OF  
DAVID ORLOFSKY OF ALIXPARTNERS, LLP**

Pursuant to 28 U.S.C. § 1746, I, David Orlofsky state under penalty of perjury, that:

- <sup>1</sup>. I am a Partner and Managing Director of AlixPartners, LLP (“AlixPartners”),<sup>2</sup>

which has a place of business at 909 Third Avenue, Floor 30, New York, New York 10022.

2. Except as otherwise noted, I have personal knowledge of the matters set forth herein called as a witness, would testify competently thereto.

3. I submit this supplemental declaration in the cases of the above-captioned debtors (collectively, the “Debtors”) to supplement the disclosures set forth in the *Declaration of Alan D. Holtz in Support of the Debtors’ Application for Entry of an Order Approving the Employment and Retention of AlixPartners, LLP as Financial Advisor to the Debtors Effective as of the Petition Date* dated April 11, 2023 [Docket No. 321-1] (the “Original Declaration”), the *Supplemental Declaration of Alan D. Holtz of AlixPartners, LLP* dated May 24, 2023 [Docket No. 714], my supplemental declaration dated November 13, 2023 [Docket No. 1369], my second supplemental declaration dated December 18, 2023 [Docket No. 1525], my third supplemental

<sup>1</sup> A complete list of each of the Debtors in this bankruptcy matter may be obtained on the website of the Debtors' claims and noticing agent at <https://cases.ra.kroll.com/DSG>. The Debtors' service address for purposes of this bankruptcy matter is: c/o Diamond Sports Group, LLC, 3003 Exposition Blvd., Santa Monica, CA 90404.

<sup>2</sup> Capitalized terms used herein shall have meanings ascribed to them in the Original Declaration.

declaration dated June 7, 2024 [Docket No. 2142], and my fourth supplemental declaration dated July 11, 2024 [Docket No. 2252].

4. Unless otherwise noted, references to AP below collectively refer to AlixPartners, AP Holdings and each of their respective subsidiaries. AlixPartners would like to disclose the following:

- AP follows a practice to solicit from the members of its Boards their connections to the parties in interest independent of AP. In response, one or more of the members of its Boards have offered the following disclosure:
  - Adobe Inc. is a vendor to the Debtors. Adobe was a vendor who worked with a member of AP's board of directors.
- Adobe Inc., a vendor to the Debtors, is a vendor to AP.
- Arch Insurance Company, an insurance provider to the Debtors, and affiliated entities (“Arch”), are adverse litigation parties, non-adverse litigation parties and professionals to current and former AP clients in matters unrelated to the Debtors. Arch is a current AP client in matters unrelated to the Debtors. Arch is an insurance provider to AP.
- Daspit Law Firm, PLLC, counsel to a litigation party in these Chapter 11 Cases, is opposing counsel to a current AP client in matters unrelated to the Debtors.
- Everest Indemnity Insurance Company, an insurance provider to the Debtors, and affiliated entities (“Everest”), are bondholders, litigation parties, non-adverse litigation parties and adverse litigation parties to current and former AP clients in matters unrelated to the Debtors. Everest is a former AP client in matters unrelated to the Debtors. Everest is an insurance provider to AP.
- FuboTv Media Inc., a significant customer to the Debtors, is an adverse litigation party and related party to a current AP client in matters unrelated to the Debtors.
- Google Cloud Platform Services Inc. and Google, LLC, vendors to the Debtors, and affiliated entities (“Google”), are lessors and adverse litigation parties to current and former AP clients in matters unrelated to the Debtors. Google is a former AP client in matters unrelated to the Debtors. Google is a former employer of current AP employees.
- Liberty International Underwriters, Inc. and Liberty Surplus Insurance Corporation, insurance providers to the Debtors, and affiliated entities (“Liberty”), are bondholders, lenders, lessors, non-adverse litigation parties, litigation parties and adverse litigation parties to current and former AP clients in matters unrelated to the Debtors. Liberty is a current and former AP client in matters unrelated to the Debtors.

- McDermott Will & Emery LLP, a professional in these Chapter 11 Cases, is a professional and counsel to current and former AP clients in matters unrelated to the Debtors. McDermott Will & Emery LLP is a current and former AP client in matters unrelated to the Debtors. McDermott Will & Emery LLP is a legal services provider to AP.
- Microsoft Corporation, a vendor to the Debtors, and affiliated entities (“Microsoft”), are shareholders, lessors and adverse litigation parties to current and former AP clients in matters unrelated to the Debtors. Microsoft is a former AP client in matters unrelated to the Debtors. Microsoft is a former employer of current AP employees. Microsoft is a vendor to AP.
- National Fire & Marine Insurance Co., an insurance provider to the Debtors, and affiliated entities (“National Fire”), are adverse litigation parties to a current AP client in matters unrelated to the Debtors. National Fire is a former AP client in matters unrelated to the Debtors.
- Ohio Bureau of Workers' Compensation, an insurance provider to the Debtors, is a lienholder and adverse litigation to former AP clients in matters unrelated to the Debtors. Ohio Bureau of Workers' Compensation is an insurance provider to AP.
- Old Republic Insurance Company, an insurance provider to the Debtors, is a litigation party and non-adverse litigation party to current and former AP clients in matters unrelated to the Debtors.
- Schulte Roth & Zabel LLP, a professional in these Chapter 11 Cases, is a professional and counsel to current and former AP clients in matters unrelated to the Debtors. Schulte Roth & Zabel LLP is a former AP client in matters unrelated to the Debtors.

5. AlixPartners does not believe that the supplemental disclosures above impact its disinterestedness. I continue to reserve the right to supplement AlixPartners’ disclosures in the event that AlixPartners learns of any additional connections that require disclosure. If any new material relevant facts or relationships are discovered or arise, AlixPartners will promptly file a supplemental declaration pursuant to Bankruptcy Rule 2014(a).

I declare under penalty of perjury pursuant to 28 U.S.C. §1746 that the foregoing is true and correct.

Dated: October 15, 2024  
New York, NY

AlixPartners, LLP

/s/ **David Orlofsky**

David Orlofsky  
Partner & Managing Director